

REMARKS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided. Applicant also notes with appreciation Examiner's acknowledgment of Applicant's Information Disclosure Statement filed in the present application by the return of the initialed and signed PTO-1449 form and the Examiner's acknowledgment of Applicant's claim for priority and receipt of the certified copies of the priority documents in the Official Action.

Upon entry of the present Amendment, claims 1-8 remain pending for consideration by the Examiner.

The Examiner has rejected claims 1-8 under 35 U.S.C. § 102(e) as being anticipated by commonly-assigned US Patent Publication No. 2004/0114252 A1 to TANAKA et al.<sup>1</sup> or by commonly-assigned US Patent Publication No. 2004/0114253 A1 to NOMURA et al., finding that either of these references teaches all of the limitations of the above claims.

Applicant respectfully traverses the Examiner's rejection and notes that NOMURA and TANAKA are not prior art under 35 U.S.C. § 102. Specifically, Applicant notes that Japanese Priority Patent Application No. 2003-034082, has a Japanese filing date of February 12, 2003, which is before the December 10, 2003 U.S. filing dates of the NOMURA et al. and TANAKA et al. publications. In this regard, and in order to expedite the allowance of the present application, Applicant submits herewith a verified translation (in accordance with 37 C.F.R. § 1.55) of the instant priority Japanese Patent Application, thereby perfecting priority of the present application under 35 U.S.C. § 119 and removing NOMURA et al. and TANAKA et al. as references. It is therefore respectfully requested that the Examiner withdraw the rejections under 35 U.S.C. § 102(e) in due course.

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<sup>1</sup> Applicant notes that this document was incorrectly identified in the Official Action as "US 2004/011252"; however, it is listed correctly in the form PTO-892

SUMMARY AND CONCLUSION

Applicant thus respectfully submits that each and every pending claim in the present application is in condition for allowance, and respectfully requests withdrawal of the outstanding objection and rejection, and allowance of all pending claims in the present application.

Should there be any questions regarding this paper or the present application, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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